

STRIKE CRISIS UP IN SUPREME COURT TODAY

Arguments on Constitutionality
of Eight-Hour Law to Be
Presented.

COMES UP AS TEST CASE

"Strike Not an Impossibility,"
Is Belief of Head of
Engineers.

Interest in the national railroad
strike crisis today centers on the
Supreme Court of the United States,
where argument for and against the
constitutionality of the Adamson eight-
hour law will be presented.

The Department of Justice, repre-
senting the Administration which has
exercised every effort to avert the
threatened strike will defend the
Adamson law from attack by a bril-
liant array of attorneys representing
the railroads.

Among the spectators in the Su-
preme Court chamber will be Warren
S. Stone, grand master of the Broth-
erhood of Locomotive Engineers, who
arrived in the city last night.

To Make Report.
Although Stone will take no part
in the legal proceedings today it is
expected he will make a report on
them to the brotherhood chiefs, who
will assemble in conference in Chi-
cago Thursday.

He said that while he could not
speak authoritatively without consult-
ing the other leaders of the brother-
hood, he believed "a strike is by no
means an impossibility" if the Adam-
son law is not sustained.

"He said the situation is serious,"
and added that "it is up to Congress
and the Supreme Court."

To Push Measure.
While argument in support of and
against the eight-hour law is being
heard by the Supreme Court, Con-
gressman Adamson will renew his ef-
forts for the prompt passage of his
new blanket railroad bill which he
considers "a great step."

In the meantime the Senate Inter-
state Commerce Committee is expect-
ed to meet, and give serious consid-
eration to the Administration's pro-
gram for additional railroad legisla-
tion.

Comes As Test Case.
The eight-hour law came before
the Supreme Court of the United
States today on a test case brought
by the receivers of the Missouri,
Oklahoma, and Gulf railroad. The
district court of the Western district
of Missouri granted the receivers an
injunction restraining the Federal and
State officials in Missouri from en-
forcing the provisions of the Adam-
son law.

The Government brings the case to
the highest legal tribunal in the
country to review the decision of the
lower court which held the law un-
constitutional.

Printed briefs summarizing the con-
tentions of both sides have been sub-
mitted to the Supreme Court.

Davis To Open Argument.
Verbal argument will be commenced
today by Solicitor General Davis, re-
presenting the Department of Justice.

He will be followed by Walker D.
Hines, chairman of the committee on
counsel for the railroads. Practically
all the railroads in the United States
will be represented by one or more
attorneys of national reputation.

Whether all of them will address the
Supreme Court has not yet been de-
cided.

Particular interest centers in the
argument of Attorney Arthur Miller,
who represented the Missouri, Okla-
homa and Gulf railroad in the test
case proceedings last fall, and won the
initial battle for the railroads.

In addition to the Solicitor General,
the Government will be represented
by Frank Hagerman, special assistant
to the Attorney General, Assistant
Attorney General Underwood, and G.
Carroll Todd, assistant to the At-
torney General.

GRAY REFUSES TO SPEAK

Resents Attack on President at
Philadelphia Meeting.

PHILADELPHIA, Jan. 8.—Because
certain remarks at a meeting to protest
against the deportation of Belgians by
Germany criticised President Wilson,
Judge George Gray, of Delaware, for-
merly of the United States Circuit Court
of Appeals and member of the Joint
Mexican commission, refused to speak
yesterday at the meeting in the Acad-
emy of Music.

Judge Gray sat on the Academy stage
with the other speakers. Preceding him,
James M. Beck, of New York, closed
a recital of the wrong to the Belgian
nation by charges of supineness and in-
activity on the part of the United States
Government through it all.

"All these horrors," Mr. Beck said,
"could have been prevented and could
have been prevented in this country by
one man."

Judge Gray walked across the plat-
form to where John Cadwalader, chair-
man of the meeting was sitting.

"I shall have to ask to be relieved
from speaking at this meeting," the
judge said. "I'm sorry, but this is too
serious. I was told that the meeting
would be non-partisan."

Resolutions condemning the depor-
tation of Belgians into Germany and call-
ing on the American government to
make formal protest were passed.

GERARD ASKED FOR REPORT ON SPEECH

State Department Wants His
Version of Remarks at
Berlin Banquet.

The State Department today cabled
Ambassador Gerard, at Berlin, re-
questing a report on the speech he
is said to have made at the banquet
of the American Association of Com-
merce and Trade at Berlin last Sat-
urday night.

The department said the request
was not to be taken as an indication
that the department was displeased
with Mr. Gerard, but that in view of
the report that he had said "never
since the beginning of the war have
the relations between Germany and the
United States been as cordial as
now," the department wished to get a
correct version of his speech.

Officials said anything Mr. Gerard
may have said in his speech was en-
tirely a personal expression of opin-
ion, and should not be considered as
reflecting the attitude of this Gov-
ernment.

NEW PROBE IS ON IN MODEL'S MURDER

Executive Says Mystery Will
Be Solved No Matter Who
Is Involved.

PHILADELPHIA, Jan. 8.—Bessie
Colbert, sister of Marie Colbert, the
murdered model, declares that her
sister had received death threats from
a man who was not Bernard W.
Lewis, scapegrace son of a wealthy
Pittsburgh family, who committed
suicide in his Atlantic City apartment
while detectives were seeking him in
connection with the murder.

John Colbert, brother of the slain
girl, asserts that the detectives are
simply taking the "easiest way" in
fastening the crime on Lewis and en-
deavoring to clear up the case, and
has appealed to Mayor Smith.

Promises Justice.
Mayor Smith, in response, has de-
clared that justice must be done, and
the mystery solved, no matter who is
involved.

More letters written by Lewis, one
twelve and one fifteen days before
the murder, show that at that time
he was contemplating suicide.

The Kyle girls, with whom Lewis
spent some of his last moments on
earth, says Lewis hands showed no
marks when he danced with them
after the murder. These "marks,"
seen only by the detectives, were said
to have been made in his supposed
struggle with Marie Colbert.

On Woman's Trail.
The police are now on the trail of
a woman who said she saw the Colbert
girl alive after Lewis had registered
at a hotel. His movements from this
time on are all accounted for.

These in brief are the developments
of a day which only served to add fur-
ther mystery to the most baffling mur-
der.

(Continued on Tenth Page.)

EGGS 75 CENTS HERE

Strictly Fresh Variety Reach That
Price Per Dozen.

The record price for eggs in Wash-
ington since 1911 was reached today
when they were retailed by several
uptown dealers at 75 cents a dozen.

This was the price of strictly fresh
eggs of the best variety.

Cold storage eggs were quoted at
the wholesale market at from 37 to 40
cents a dozen.

There is a prospect of the price
dropping within the next few days,
dealers believe, provided the weather
remains as it is at present. Warm
weather is the greatest egg producer
known.

"OSBORNE" TO TESTIFY

Charles H. Wax, Wholesale Wooleer,
to Face Rae Tanzer.

NEW YORK, Jan. 8.—Charles H.
Wax, the heart smashing Oliver Os-
borne, who declared he and not James
W. Osborne took Rae Tanzer to a
New Jersey hotel, probably will face
that girl today when he testifies in
the perjury trial of Franklin D. Sar-
ford, clerk at the hotel.

Sarford declared in Rae Tanzer's
\$50,000 breach of promise suit against
James W. Osborne that James W. was
the Osborne he saw enter the hotel
with Miss Tanzer.

Wax's person, his writing, and his
testimony are the points upon which
the Government expects to get a con-
viction.

If Wax testifies it will be his first
public appearance since his arrest in
Chicago, when he was revealed as a
love pirate who had disappeared with
money given him by nearly 200 girls
to whom he proposed in various parts
of the country.

\$25,000,000 MORE IN GOLD

Transported in 20 Trucks Through
New York Streets.

NEW YORK, Jan. 8.—Gold amount-
ing to \$25,000,000, one of the largest
shipments received in a single day
since the present movement from
abroad began, arrived here from Hal-
fax, Nova Scotia, and was deposited
at the subtreasury.

Twenty automobile trucks, each
with armed guards, were required to
transport the gold from the railroad
station to the subtreasury.

NEW YORK, Jan. 8.—"Colonel
Cody's condition is unchanged. There
is practically no hope for his recov-
ery," Dr. J. H. East, the attending
physician, announced today.

Using his extreme weakness, the
proposed trip to Cody, Wyo., Buffalo
Bill's old home, has been abandoned.
Colonel Cody is being cared for here
at the home of his sister, Mrs. May
Decker.

EXPECT TIE ON REFERENDUM IN THE SENATE

Vote to Be Taken Tomorrow on
Sheppard Bill and Under-
wood Amendment.

VICE PRESIDENT IS ABSENT

Unless Votes Are Changed
From Previous Poll This
Will Mean Tie.

With the Senate under agreement
to vote on the District prohibition bill
tomorrow afternoon and likewise on
the Underwood referendum and other
amendments to the bill, a canvass of
Senators today shows that on the
basis of a full membership in attend-
ance or paired the result on the refer-
endum will be a tie.

When the Senate in Committee of
the Whole before the holidays voted
on the referendum the referendum
was defeated by the vote. Vice
President Marshall was absent. Had
he been present he would have voted
for the referendum. The Vice Presi-
dent is out of the city and will not
be here when the vote is taken to-
morrow.

Some May Change Front.
The calculation to the effect that a
tie may be repeated tomorrow rests
on the assumption that Senators will
all vote as they did before the holi-
days in committee of the whole. But
it is not a certainty that there will
be no changes. In fact it is quite
possible that several Senators will
change front on the matter.

Under the circumstances the utmost
uncertainty prevails in the Senate to-
day as to the outcome of the refer-
endum. The bill itself will command
enough votes to be passed, either
with or without the referendum
amendment.

Much Depends on Attendance.
One of the uncertain phases of the
situation concerns the presence or
absence of Senators. It is by no
means sure that all of the Senators
will be either present or paired. Sen-
ator Gore is in a hospital, but a pair
has been arranged for him. He is
against the referendum on District
prohibition.

Several Senators absent today may
or may not show up in time for a vote.
Supporters of the referendum con-
sidered the plan of wiring the Vice
President to return in order to vote
off a possible tie. This course was
not taken, however.

Discussion Likely Today.
Discussion of the prohibition bill
is expected in the Senate later in the
day from Senators who want to make
argument and fear they will not get
time to do so tomorrow. Senator Ken-
yon will speak on the referendum
and seek to show that it is uncon-
stitutional. He takes the position
that the District prohibition bill is
not simply a local matter, but that it
would affect interstate commerce, and
that residents of the District cannot
legally vote on a matter of interstate
commerce.

Whether the two rival mass meet-
ings which were held here yesterday,
one for the referendum and one
against it, will affect the result, can-
not be told. It is believed, however,
that every member of the Senate had
already made up his mind how he
would vote.

Nation-wide interest is voiced in
the outcome of the voting tomorrow,
alike on the bill itself and on the
referendum. Practically no doubt is
entertained that the bill will be passed
in some form, but the drys will
not look on the action as more than
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LAWSON AND CONGRESSMAN NEAR BLOWS AS FINANCIER TAKES STAND IN LEAK PROBE

WHAT WITNESSES SAID:

JOSEPH TUMULTY, Secretary to President Wilson, emphatically de-
nied all knowledge of the note until told by a newspaperman of its
issuance. He said he had taken Ambassador Gerard, who wanted
to invest in some bonds, to the office of W. B. Hibbs & Co., of this
city.

PRESIDENT WILSON, as quoted with authority by Secretary Tum-
ulty, said: "I wish, in justice to Mr. Tumulty, to say that he has
stated the exact fact. He had no knowledge of the note whatever
until it was given out for publication."

ROBERT LANSING, Secretary of State, told of the preparation and
dispatch of the peace note, gave the names of men who had
handled it at the State Department and of how it had been set up in
type at the Government Printing Office. He said three men besides
members of the press were in his office on the morning of Decem-
ber 20—the day the stock market broke on the rumor of a peace
note—when he announced confidentially that the note was coming.
These men were R. Gaylord and Dr. M. T. McLean, of the United
States Navy, who were about to sail for Haiti, and C. H. Snowden,
a manufacturers' agent, of New York.

THOMAS LAWSON, of Boston, reiterated his charges of leaks—"leaks
from the Supreme Court, from the Senate, advance information
from Cabinet officers, advance information even direct from the
White House." He said he could not give names. "To do that I
would have to be principal conspirator and beneficiary," he said.

CONTROL OF RICHES DENIED CHANOLER

Supreme Court Rules He Can-
not Manage His New
York Estate.

John Armstrong Chalonier, author of
the "Who's looney now?" telegram
from his brother, Sheriff Bob Chanler,
operating under the name of Lina Cavalieri,
opera singer, today was refused con-
trol of his big estates in New York
by the Supreme Court of the United
States.

Chalonier, who is a great-grandson
of John Jacob Astor, possesses an es-
tate valued originally at about \$1,500,000.
Under the care of an adminis-
trator, his holdings were increased
considerably by careful management,
it is said.

He made an attempt recently to
have the Supreme Court of the United
States increase his allowance from
\$17,000 to \$24,000 a year.

Chalonier's appearance in court
has been frequent. At the present
time he is held to be insane in the
courts of New York State, while in
Virginia he has been adjudged sane.

MOON IN TOTAL ECLIPSE

Invisible in Capital From 2 Until

3:29 This Morning.

Luna, the inconstant, went into
complete retirement this morning.

From 2 until 3:29 her rays were in-
visible in Washington.

The moon entered the penumbra in
which part of the sun's light is cut
off at 11:35 last night. At 12:50 she
met the dark shadow, and an hour
and ten minutes later was completely
covered. The moon left the shadow
at 4:40, and cleared the penumbra at
5:40.

The eclipse was visible to inhabi-
tants of Central America, western Eu-
rope, northwestern Africa, North and
South America, and the central and
east Pacific. The phenomenon was
witnessed by a number of local sci-
entists at the Naval Observatory.

Washingtonians who retired too
early will have another chance on
December 28, 1917, when another total
eclipse is promised. Seven eclipses
are scheduled for the year, but this
will be the only one visible in the
District.

PRESIDENT FACES BUSY DAY

Will See Correspondents and Many
Official Callers.

A busy day faces President Wilson
today.

Washington correspondents talked
with him at 12:30. Other engage-
ments are:

Lawrence Woods and Harrison Nes-
bitt, 2:15 o'clock.

Senator Kern and committee; Sen-
ator Overman, Senator Simmons, Ed
Gott, Congressman Humphries of
Mississippi, Congressman Holt of
Virginia, and Assistant Secretary
Roosevelt, from 2:30 to 3:30 o'clock.

Col. Robert Ewing, of New Orleans,
3:30 o'clock.

Joseph R. Truesdale, 4 o'clock.

Dr. R. H. Chambers, 4:15 o'clock.

NOT TIME FOR PEACE

Pope Will Declare in Note to U. S.,
Rome Reports Say.

ROME, Jan. 8.—Pope Benedict will
declare the present moment inopportune
for a peace movement in notes
to Germany and America, the news-
paper Messaggero asserted today.

According to this source, the notes
will be practically identical in terms
and will be dispatched by the Vat-
ican Wednesday. In them, the Mes-
saggero declares, the Pope will anate
his own personal efforts toward peace
and his desire for stopping "the
great war, but sum up his conclusions
that the time is not yet ripe for
definite steps.

PORTUGUESE NOW AID ALLIES IN WEST

Officers of Expeditionary Force
Tackling Many New
Problems.

WITH THE BRITISH ARMIES IN
THE FIELD, Jan. 6.—(Delayed)—Of-
ficers of the Portuguese expeditionary
force have arrived here preparatory
to fighting on the western front, and
are tackling enthusiastically their
new problems.

Authorization to cable this news
was given for the first time today.

Beginning of Activities.
Presence of these Portuguese of-
ficers in France marks the beginning
of Portugal's actual participation in
fighting activities.

The officers express their impatience
to consummate their country's
entrance into the war by actual con-
tact with the Germans over parapet
and fighting line.

They have a smart appearance, be-
ing dressed in uniforms very similar
to the French officers, with a touch
of the British blue-gray in the ma-
terial, brown leggings and a cap
shaped like the British officers'.

Plenty of Seventy-Fives.
It is understood the Portuguese
forces are plentifully equipped with
75-millimeter field guns, these bat-
teries regularly constituting a part
of the Portuguese division formation.

The Portuguese officers display
very good training and exceptional
keenness in grasping the tricks of the
trade peculiar to the western battle
line.

FOCSANI CAPTURED

Germania Take Fortified Town and
Nearly 4,000 Prisoners.

BERLIN (via Sayville wireless).
Jan. 8.—Focsani was captured by the
Germans yesterday, with 3,910 pris-
oners, according to today's German
official statement.

Forcing back of Russian forces
from the strongly fortified main mas-
s of Odobesti to Putna, and storming,
in hand-to-hand fighting, of enemy po-
sitions south of Milcov, was re-
ported.

"Pushing beyond, we gave the en-
emy no time to settle in second-line
positions on the canal between Foc-
sani and Yaresta," the statement
continued.

"This position was pierced, and, ad-
vancing further, we crossed the road
from Focsani to Bolotesti."

"This morning Focsani was cap-
tured. From the conquered fortifica-
tions we took 3,910 prisoners, three
cannons, and several machine guns."

FRENCH PATROLS FIGHT

PARIS, Jan. 8.—Patrol engagements
in the Bouchaves region and the
forest of Parroy were reported in to-
day's official statement. Elsewhere
it was said there was nothing im-
portant.

BULGARS MAKE GAINS

SOFIA, Jan. 8.—"We have reached
the lower course of the river Sereth,"
today's official statement asserted,
describing the Roumanian campaign.

RUSSIANS GAIN GROUND

BERLIN (via Sayville wireless).
Jan. 8.—Russian forces which at-
tacked again yesterday with strong col-
umns on a front west of the road from
Riga to Mitau, succeeded in broad-
ening somewhat the terrain gained Jan-
uary 5 on the Aa river, today's official
statement said. Elsewhere, however,
the enemy was insignificantly repulsed.

"East Line's 'Florida Special'."
Florida's finest train, 3 other all-star trains
daily, 1405 New York Ave. N.W., A.P.U.

Sensation Follows Sensation as House Rules
Committee Resumes Inquiry;

Boston Witness Bitter.